

**BOARD FOR GEOLOGISTS AND GEOPHYSICISTS**

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Enforcement Action

Daniel Tims**Registered Environmental Assessor (REA) No. 6284****Licensed Water Well Contractor No. 757494****EPA Certified Asbestos Inspector No. 101977**

The Board for Geologists and Geophysicists (Board) issued a citation and fine of \$2,500 to Daniel Tims for violation of section 7872(a) of the Business and Professions Code (Geologist and Geophysicist Act). Mr. Tims prepared and “Quality Controlled” a report entitled “Limited Phase II Environmental Site Assessment” (Report), dated March 19, 2004 signed as “Daniel G. Tims B.S. Geology, 1983 State of California Registered Environmental Assessor #06284 State of California Licensed Water Well Contractor #757494 Certified E.P.A. Asbestos Inspector #101977” which was subsequently submitted to US Bank 633 West Fifth Street, 30th Floor, Los Angeles, California. Board records show that Daniel Tims did not hold licensure as a Professional Geologist on or about the time of the submittal of the above-referenced Report.

The Report submittal of Mr. Tims, President of Assessco, Inc., showed evidence that the electronic signature of Dan Herlihy, Professional Geologist (PG) No. 4388, Certified Hydrogeologist (CHG) No. 107 and Certified Engineering Geologist (CEG) No. 1378 was affixed to the Report as the licensed Professional Geologist in responsible charge of the work but without Mr. Herlihy’s knowledge or consent. Daniel Tims violated Business and Professions Code section 7830.1 section 7832 and section 7872 subsections (a) and (d) when he impersonated a licensed Professional Geologist by unlawfully using Professional Geologist Dan Herlihy’s professional title and license numbers, PG No. 4388, CHG No. 107 and CEG No. 1378, and signed his name as described above to page 17 of the Report under “VIII. CERTIFICATION.” Assessco, Inc. has subsequently corrected its internal professional license certification procedure to eliminate future report errors.

In accordance with section 125.9(d) of the Business and Professions Code which specifies that payment of the fine does not constitute admission of the violation charged and represents satisfactory resolution of the matter, Mr. Tims agreed to pay the fine and the case was closed on November 23, 2005.